

IDAP REPORT

Property:	201 Parramatta Road, Homebush West Lot 100 DP 1262255 / Lot 101 DP 1262255 DA 2021/237
Proposal:	Torrens title subdivision to create two (2) lots and Stratum subdivision to create two (2) stratum lots, construction of a perimeter driveway and car park comprising 109 car spaces, associated civil, easement and stormwater works.
Applicant:	Trumen Norman Homebush Pty Ltd
Owner:	Sydney Olympic Park Authority
Date of lodgement:	22 September 2021
Notification period:	7 October 2021 to 21 October 2021
Submissions received:	Nil
Assessment officer:	P Santos
Estimated cost of works:	\$376,805.00
Zoning:	B6 – Enterprise Corridor - SLEP 2012
Heritage:	Adjacent to a Heritage Conservation Area – “C6” – Welfare Street Conservation Area, Inter-war Bungalow Style Group
Flood affected:	Yes
RECOMMENDATION OF OFFICER:	APPROVAL



Figure 1. Aerial imagery of the subject site (outlined) and the immediate locality.

EXECUTIVE SUMMARY

Proposal

Development consent is being sought for the Torrens title subdivision to create two (2) lots and Stratum subdivision to create two (2) stratum lots, construction of a perimeter driveway and car park comprising 109 car spaces, associated civil, easement and stormwater works.

Site and Locality

The subject site is legally described as Lot 100 DP 1262255 and Lot 101 DP 1262255, and commonly known as 201 Parramatta Road, Homebush West. It is located off the northern side of Parramatta Road.

The current streetscape and the immediate locality, apart from the small pocket of dwelling houses that form part of the C6 Heritage Conservation Area, are characterised by a network of major highways and a motorway – Parramatta Road, Centenary Drive and Western Motorway (M4), a mix of large warehouse or distribution centres, offices, and a food and drink premises – Wentworth Hotel. Sydney Markets is located across Parramatta Road, to the south of the subject site.

Strathfield Local Environmental Plan

The site is zoned under the provisions of Strathfield LEP 2012 and the proposal is a permissible form of development with Council's consent. The proposal satisfies all relevant objectives contained within the LEP.

Development Control Plan

The proposed development generally satisfies the provisions of Strathfield Consolidated DCP 2005. This is discussed in more detail in the body of the report.

Notification

The application was notified in accordance with Council's Community Participation Plan from 7 October 2021 to 21 October 2021, where no submissions were received.

Issues

- Lack of landscaping around the proposed parking area.

Conclusion

Having regards to the heads of consideration under Section 4.15 of the *Environmental Planning & Assessment Act 1979*, development application 2021/237 is recommended for approval subject to suitable conditions of consent.

REPORT IN FULL

Proposal

Council has received an application for the Torrens title subdivision to create two (2) lots and Stratum subdivision to create two (2) stratum lots, construction of a perimeter driveway and car park comprising 109 car spaces, associated civil, easement and stormwater works.

More specifically, the proposal includes –

- The subdivision of existing Lot 101 DP 1262255 into two Torrens Title lots, as proposed:
 - Lot 20 – 22,900m² (2.29ha), and
 - Lot 21 – 2,730m².
- Stratum Title subdivision of existing Lot 100 DP 1262255 into –
 - Lot 22 – area of 327.3m² – limited in height to 5m above the ramp level (airspace above this will be part of Lot 23), and
 - Lot 23 – area of 493.3m² – limited in depth to 5m above the proposed ground levels within the Right of Carriageway [M] and unlimited in height.
- Additional carparking of 19 spaces increasing the total parking to 111 (91 spaces were approved in CDC-20083 and additional one parking space was given approval in DA2021/138).
- Additional carriageways and easements are proposed across the site, as follows:
 - A right of carriageway 9.25 wide and variable [M],
 - A right of carriageway variable width [N],
 - An easement for electricity and other purposes 5.3 wide [P],
 - A right of carriageway 12.19 wide [Q],
 - An easement for services variable width [R],
 - An easement for parking variable width [S],
 - An easement for support variable width [T], and
 - A right of carriageway 6.5m wide (limited in stratum) [U].

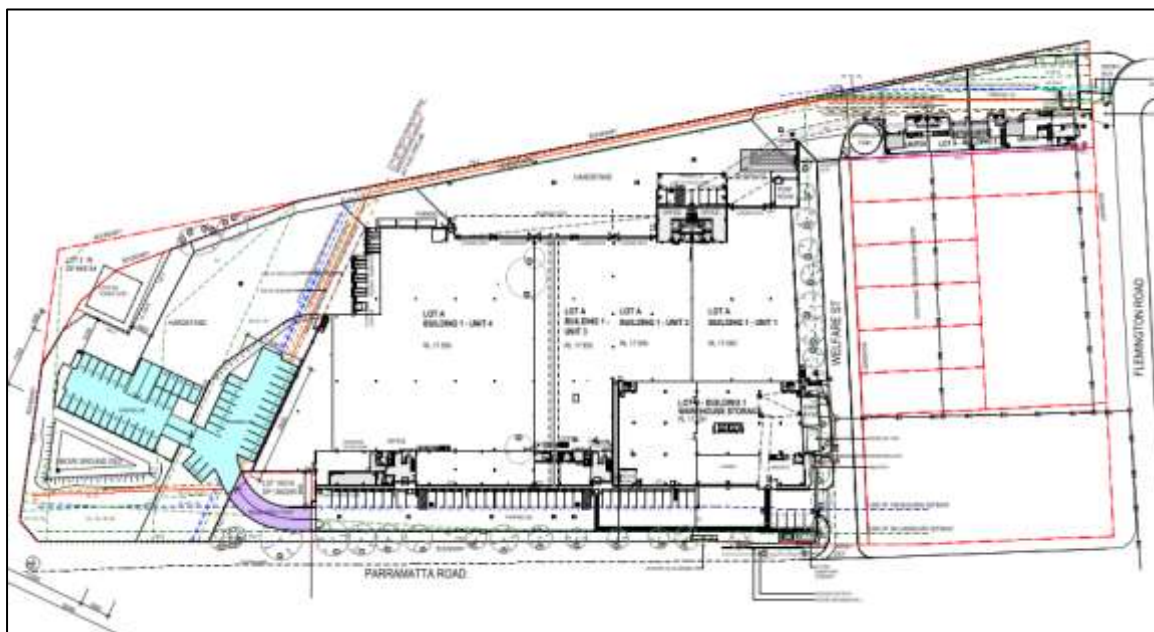


Figure 4. A closer diagram of the proposed Stratum lots – pt. 22 & pt. 23 in Lot 100 DP 1262255, located at the south-western boundary of the site facing Parramatta Road.

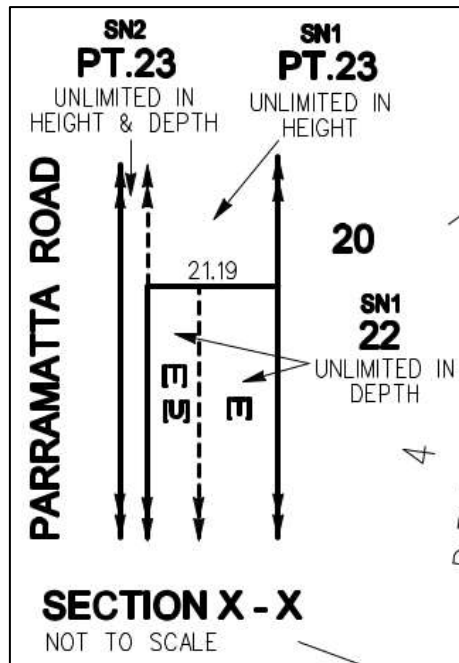


Figure 5. Section of the proposed Stratum lots.

The Site and Locality

The subject site is legally described as Lot 100 DP 1262255 and Lot 101 DP 1262255, and commonly known as 201 Parramatta Road, Homebush West. It is located off the northern side of Parramatta Road.

The site is currently under construction for the purpose of the CDC-approved warehouse/distribution centre – CDC-20083.

The current streetscape and the immediate locality, apart from the small pocket of dwelling houses that form part of the C6 Heritage Conservation Area, are characterised by a network of major highways and a motorway – Parramatta Road, Centenary Drive and Western Motorway (M4), a mix of large warehouse or distribution centres, offices, and a food and drink premises – The Wentworth Hotel. Sydney Markets is located across Parramatta Road, to the south of the subject site.



Figure 6. A closer imagery of the site.

Background

Other consents:

31 March 2021	A complying development certificate (CDC-20083) was issued for the purpose of construction of a warehouse development with ancillary offices, external hardstand, loading docks and associated parking.
2 September 2021	A consent was granted by the Strathfield Local Planning Panel for the DA2021/85 for the first use as a warehouse/distribution centre and change of hours to allow 24/7 operations for units 1 to 4, and construction of acoustic fences.
5 October 2021	A complying development certificate (CDC-21105) was issued for the first use of Lot B Building 1 and Lot A units 5-8 for the purpose of warehouse or distribution centre.
12 November 2021	A consent was granted by Council's Internal Development Assessment Panel for DA2021/138 for the purpose of internal alterations and conversion of part of the ground floor and mezzanine level storage and breakout rooms to create ancillary offices within the industrial warehouse development.

Subject development application:

22 September 2021	The subject development application was lodged.
7 October 2021	The application was put on public notification until 21 October 2021, where Council received no submissions.

Referrals – Internal and External

Traffic

The application was referred to Council's Traffic Manager who provided the following comments:

"...the estimated vehicle movements when assigned to two separate driveway access points (proportionally based on the quantum of car spaces it serves) are not anticipated to have an unacceptable adverse impact to the road network."

"The proposed driveway off Welfare Street is in close proximity of Parramatta Road and hence shall eliminate the vehicle movements further into the residential section of Welfare Street."

"It is proposed that a total of 109 parking spaces are to be provided including 1 accessible space in satisfaction of the TfNSW and Council DCP criteria."

Council's Traffic Officer concluded that should the application be supported, the below conditions of consent, including others that are not mentioned, are to be imposed.

"Small Rigid Vehicle

The maximum size of truck using the proposed driveway off Welfare Road shall be limited to Small Rigid Vehicle as denoted in AS2890.2-2002: Parking Facilities – Off-street commercial vehicle facilities."

"All other conditions imposed by TfNSW."

The recommended conditions of consent are consistent with the conditions imposed in the approval for the 24/7 operations of the units 1-4 of the warehouse development on the site (DA2021/85). The conditions provided by TfNSW in that DA will not be imposed in the development consent for this development application as those conditions are included in the consent for DA2021/85 and as amended in DA2021/85/2. The conditions from TfNSW were site-specific and not unit-specific. For clarification, as DA2021/85 and the modification application were for the units 1-4 of the warehouse development on the site, the conditions relate to the whole site.

Taking the above into consideration, the proposed development is supported from a traffic management perspective.

Stormwater

The application was referred to Council's Development Engineer, who offered no objections subject to relevant conditions of consent to be imposed.

Building & Compliance

The application was referred to Council's Building Compliance Officer who raised concerns about the approved buildings and how they will be able to meet the BCA requirements once the lot has been subdivided. However, as previously mentioned, the construction of the buildings on-site was given approval through a complying development process. Nonetheless, a condition of consent has been imposed ensuring that all buildings must comply with the BCA provisions taking into consideration the outcome of this subdivision application.

Ausgrid

The application was referred to Ausgrid, who offered no objections to the proposal subject to conditions of consent.

VIVA Energy

Clause 66C of the Infrastructure SEPP requires a referral to VIVA Energy to be made. VIVA Energy has provided an approval to the proposed works, subject to conditions of consent.

Section 4.15 Assessment – EP&A Act 1979

The following is an assessment of the application with regard to Section 4.15 (1) of the Environmental Planning and Assessment Act 1979.

(1) *Matters for consideration – general*

In determining an application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) *the provision of:***
- (i) *any environmental planning instrument,***

Strathfield Local Environmental Plan

The development site is subject to the Strathfield Local Environmental Plan 2012

Part 2 – Permitted or Prohibited Development

Clause 2.6 Subdivision – Consent Requirements

The clause permits the proposed subdivision on the subject site.

Part 4 – Principal Development Standards

Minimum Subdivision Lot Size

The clause does not apply to a Strata subdivision, as per Clause 4.1(4)(a). Further, the clause does not stipulate a numerical requirement for a minimum lot size for a Torrens title subdivision. As such, there is no minimum lot size applicable to the site and proposal.

Part 5 – Miscellaneous Provisions

Heritage Conservation

The subject site is not listed as a heritage item or located within a heritage conservation area. The site adjoins a heritage conservation area to the east, the residential lots in-between the parallel roads of Welfare Street and Flemington Road.

The proposal is for both Torrens and Strata subdivision of the subject site, construction of a perimeter driveway and car parking located to the west of the site, away from the heritage

conservation area. The proposed development is considered to be of minor works in nature and will not have an impact on to the heritage significance of the adjoining HCA.

Flood Planning

The subject site has been identified as being at or below the flood planning level. The application has been reviewed by Council's Engineer who has advised that subject to suitable conditions, the development will not result in significant adverse effects on flood behaviour or environment and is not likely to result in unsustainable social and economic loss. The proposed development is considered to satisfy the objectives of this clause.

Part 6 – Additional Local Provisions

Acid Sulfate Soils

The subject site is identified as having Class 5 Acid Sulfate Soils but is not located within 500m of a Class 1, 2 3 or 4 soils. Therefore, development consent under the provisions of this section is not required.

Earthworks

The proposal does not include any significant excavation or earth works. Any excavation for footings or levelling of the site is considered to be minor and will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

Essential Services

Clause 6.4 of the SLEP 2012 requires consideration to be given to the adequacy of essential services available to the subject site. The subject site is located within a well serviced area and features existing water and electricity connection and access to Council's stormwater drainage system. As such, the subject site is considered to be adequately serviced for the purposes of the proposed development

It is considered that the proposed development satisfies the aims, objectives and development standards, where relevant, of the Strathfield LEP 2012.

STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND (SEPP 55)

SEPP 55 applies to the land and pursuant to Section 4.15 is a relevant consideration.

A review of the available history for the site gives no indication that the land associated with this development is contaminated. There were no historic uses that would trigger further site investigations.

The objectives outlined within SEPP55 are considered to be satisfied.

STATE ENVIRONMENTAL PLANNING POLICY (VEGETATION IN NON-RURAL AREAS) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 replaces the repealed provisions of clause 5.9 of SLEP 2012 relating to the preservation of trees and vegetation.

The intent of this SEPP is consistent with the objectives of the repealed Standard where the primary aims/objectives are related to the protection of the biodiversity values of trees and other vegetation on the site.

The proposed development does not result in the removal or loss of any trees or vegetation subject to the provision of this SEPP.

The aims and objectives outlined within the SEPP are considered to be satisfied.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

Clause 101 of the SEPP is applicable and had been considered in previous consents relating to the site. Therefore, the subject application was not referred back to TfNSW.

Clause 104 is not relevant to the proposed development in the subject application but was a consideration in previous consents.

The proposal involves a development that is on land adjacent to a pipeline corridor, triggering the provisions under Clause 66C of the Infrastructure SEPP. The application was referred to the pipeline operator – Viva Energy Australia, which raised no concerns to the proposal but provided conditions of consent to be imposed should the proposal be supported.

The subject site contains an electricity tower on the north-west side with electricity lines running through the western part of the property. Pursuant to Clause 45 of the SEPP, the application was referred to Ausgrid for consideration who offered no objections to the proposal subject to conditions of consent.

Taking the above into consideration, the proposed development is considered to satisfy the provisions of the SEPP.

(ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and

STATE ENVIRONMENTAL PLANNING POLICY (DESIGN AND PLACE) 2021

It is acknowledged that the draft SEPP is currently in public exhibition but not yet notified to any consent authorities. As such, it is not a mandatory matter of consideration under Section 4.15 of the EP&A Act.

(iii) any development control plan,

The proposed development is subject to the provisions of the Strathfield Consolidated Development Control Plan 2005. The following comments are made with respect to the proposal satisfying the objectives and controls contained within the DCP.

PART R – Subdivision

Subdivision Pattern

The proposal includes subdivision patterns that are not considered a regular allotment. Nevertheless, the patterns proposed reflect the existing allotments of the site and the approved warehouse development. As such, it is considered that the proposed subdivision is acceptable.

Accessway Design

The proposed subdivision involves a driveway/carriageway that services multiple allotments. The submitted draft Section 88B instrument tables the following:

Number of item shown in the intention panel on the plan	Identity of easement, profit à prendre, restriction or positive covenant to be created and referred to in the plan.	Burdened lot(s) or parcel(s):	Benefited lot(s), road(s), bodies or Prescribed Authorities.
1	Right of Carriageway 9.25 wide and variable [M]	20	21, 22, 23
2	Right of Carriageway variable wide [N]	21	20,22,23
3	Easement for Electricity and other Purposes 5.3 wide [P]]	21	Alpha Distribution Ministerial Holding Corporation ABN 67 505 337 385
4	Right of Carriageway 12.9 wide and variable width [Q]	20	21, 22, 23
5	Easement for Services variable width [R]	21	20, 22
6	Easement for Parking variable width [S]	20	21, 22
7	Easement for Support variable width [T]	20	23
8	Right of Carriageway 6.5 wide (Limited in Stratum) [U]	22	20, 21

Table 1. Extract of the easements proposed to be created and the relevant lots to be burdened or benefited.

The proposed driveway/carriageway easements and the burdened and benefitting lots are acceptable. To ensure that the proposed easements will continue to be accessible to the benefitted lots post consent, a condition will be imposed that Council is to be nominated as the only body empowered or authorised to vary/modify the terms of the easement. Further, another condition will be imposed to make sure that the driveways satisfy the relevant Australian Standards.

Landscaping and Open Space

The proposed additional car parking spaces are to be situated within an approved landscaped area in the CDC for the construction of the warehouse development (CDC-20083). See Figure 7 below.

Figure 7. Extract of the approved plans in the CDC for the construction of the warehouse/distribution centre development with the landscaped area outlined.

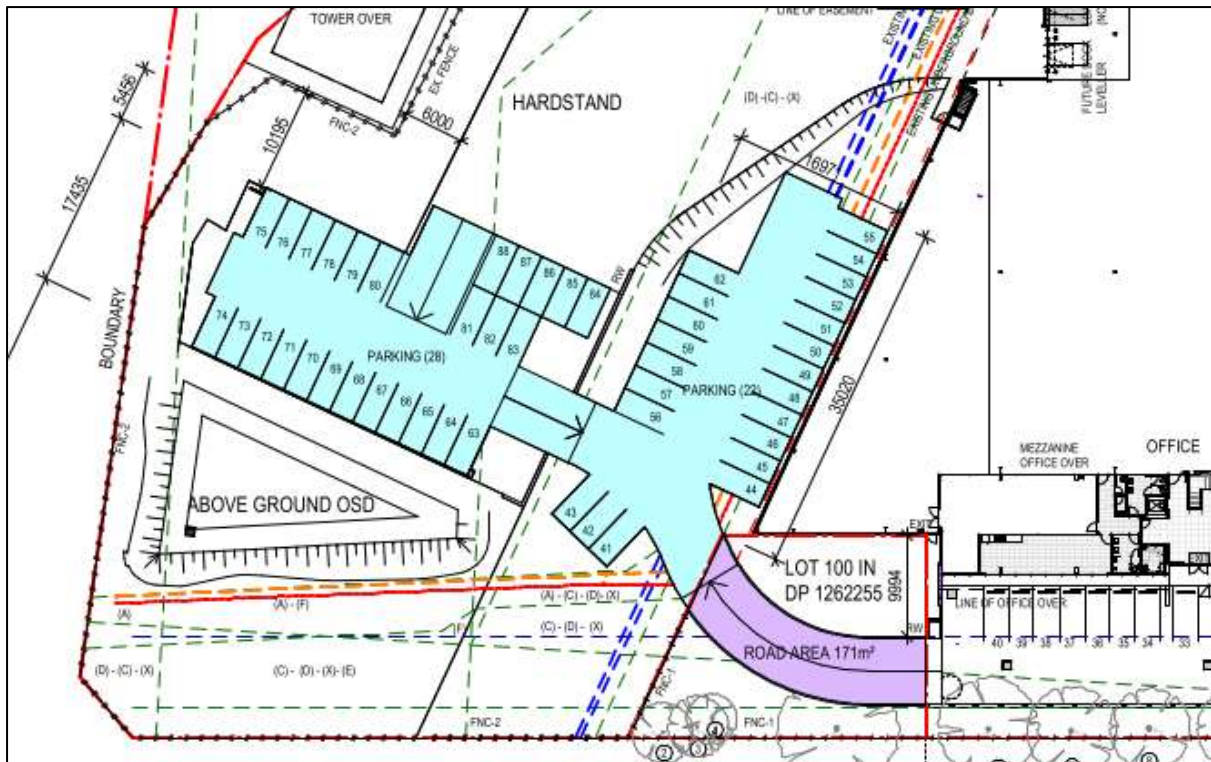


Figure 8. Extract of the site plan showing the parking area within the approved landscaped area.

PART H – Waste Management (SCDCP 2005)

It is noted that there was no waste management plan submitted as part of the application. The lack of management plan can be resolved by a condition of consent ensuring that a waste management plan be prepared in accordance with the requirements of the DCP and be provided to the principal certifying authority prior to receipt of the construction certificate.

PART P – Heritage (SCDCP 2005)

The site adjoins a heritage conservation area – “C6” Welfare Street Conservation Area, Inter-ware Bungalow Style Group. As the works of the proposal are for subdivision and a additional parking spaces, it is considered that there will be no impact on to the heritage significance of the conservation area. As such, the proposed development is supportable in this regard.

(iv) Any matters prescribed by the regulations, that apply to the land to which the development application relates,

The requirements of Australian Standard AS2601–1991: *The Demolition of Structures* is relevant to the determination of a development application for the demolition of a building.

The proposed development does not involve the demolition of a building. Should this application be approved, appropriate conditions of consent may be imposed to ensure compliance with the requirements of the above standard.

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

The proposed development does not include a new building to be constructed that would be out of character or not to scale with the adjoining developments. The proposed subdivision, internal driveways and parking spaces are considered to have no minimal impact.

The subdivision pattern proposed is acceptable as it reflects the existing allotments, surrounding road network and approved development on the site.

(c) *the suitability of the site for the development,*

The proposed development is for subdivision that is permitted with consent. The proposal is considered to have no adverse impact to the adjoining properties and is considered to be suitable for the site.

(d) *any submissions made in accordance with this Act or the regulations,*

In accordance with the provisions of Councils Community Participation Plan, the application was placed on neighbour notification for a period of fourteen (14) days where adjoining property owners were notified in writing of the proposal and invited to comment. No submissions were received during this period.

(e) *the public interest.*

The proposed development is of a scale and character that does not conflict with the public interest.

Local Infrastructure Contributions

Section 7.13 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. This section prescribes in part as follows:

A consent authority may impose a condition under section 7.11 or 7.12 only if it is of a kind allowed by, and is determined in accordance with, a contributions plan (subject to any direction of the Minister under this Division).

STRATHFIELD INDIRECT SECTION 7.12 CONTRIBUTIONS PLAN

Section 7.12 Contributions are applicable to the proposed development in accordance with the Strathfield Indirect Development Contributions Plan as follows:

Based on the Cost of Works of \$376,805.00 and in accordance with Council's s7.12 Indirect Contributions Plan, a contribution of 1% of the cost of works is applicable. In this regard, the contribution is as follows;

Local Amenity Improvement Levy	\$3,768.05
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Conclusion

The application has been assessed having regard to the Heads of Consideration under Section 4.15(1) of the *Environmental Planning and Assessment Act 1979*, the provisions of the SLEP 2012 and SCDCP 2005.

Following detailed assessment it is considered that Development Application No. 2021/237 should be approved, subject to the conditions of consent.



Signed:
P Santos
Planner

Date: 25 February 2022

- ☒ I confirm that I have determined the abovementioned development application with the delegations assigned to my position.
- ☒ I have reviewed the details of this development application and I also certify that Section 7.11/7.12 Contributions are applicable to this development and have been levied accordingly.

Report and recommendations have been peer reviewed and concurred with.



Signed:
J Gillies
Senior Planner

Date: 1 March 2022

The following conditions of consent are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instrument and/or Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To protect the environment.
- (c) To ensure that there is no unacceptable impact on the amenity of the area, or to private and public property.
- (d) It is in the public interest.

DEVELOPMENT DETAILS

1. Approved Plans & Documentation

The development must be implemented in accordance with the approved plans and supporting documentation listed below which have been endorsed by Council's approved stamp, except where marked up on the plans and/or amended by conditions of this consent:

Description	Reference No.	Date	Revision	Prepared by
Site Plan	DA102	20/08/2021	A	SBA Architects
Deposited Plan Administration Sheet – Sheet 1 of 2	79334	11/11/2021 (Draft) Received by Council – 18/11/2021	-	Rygate & Company Pty. Ltd., Sydney c/- Gregory Jon Firth
Deposited Plan Administration Sheet – Sheet 2 of 2	79334	11/11/2021 (Draft) Received by Council – 18/11/2021	-	Rygate & Company Pty. Ltd., Sydney c/- Gregory Jon Firth
Plan of Proposed Subdivision of Lots 100 and 101 DP 1262255	79334	11/11/2021 (Draft) Received by Council – 18/11/2021	-	Gregory Jon Firth
Section 88B Instrument (Draft) – Sheet 1 of 2	77927.04B. L01_88B	Received by Council – 18/11/2021	-	-
Section 88B Instrument (Draft) – Sheet 2 of 2	77927.04B. L01_88B	Received by Council – 18/11/2021	-	-

Drawing List, General Notes and Locality Plan	CO14101.0 0-DA01	17/08/2021	A	Costin Roe Consulting
Erosion & Sediment Control Plan & Details	CO14101.0 0-DA02	17/08/2021	A	Costin Roe Consulting
Civil Works Plan	CO14101.0 0-DA03	17/08/2021	A	Costin Roe Consulting
Civil Works Details and Typical Sections	CO14101.0 0-DA04	17/08/2021	A	Costin Roe Consulting
Civil Engineering Report Alteration/Addition to Site Based Stormwater Management	Co14101.00	31/08/2021	A	Costin Roe Consulting

SEPRARATE APPROVALS REQUIRED UNDER OTHER LEGISLATION

2. Section 138 Roads Act 1993 and Section 68 Local Government Act 1993

Unless otherwise specified by a condition of this consent, this Development Consent does not give any approval to undertake works on public infrastructure.

Separate approval is required under Section 138 of the [Roads Act 1993](#) and/or Section 68 of the [Local Government Act 1993](#) for any of the following activities carried out in, on or over a public road (including the footpath) listed below.

An application is required to be lodged and approved prior to the commencement of any of the following works or activities;

- (a) If any excavation is to be supported by the use of below ground (cable) anchors that are constructed under Council's roadways/footways.
- (b) Swinging or hoisting goods over any part of a public road by means of a lift, crane or the like;
- (c) Establishing a "works zone";
- (d) Placing or storing materials or equipment;
- (e) Placing or storing waste containers or skip bins;

- (f) Stormwater & ancillary to public infrastructure on private land
- (g) Erecting a structure or carrying out work

These separate activity approvals (a)-(g) must be obtained and evidence of the approval provided to the Certifying Authority prior to the issue of the Construction Certificate.

- (h) Pumping water from the site into the public road;
- (i) Constructing a vehicular crossing or footpath;
- (j) Digging up or disturbing the surface of a public road (e.g. Opening the road for the purpose of connections to utility providers);
- (k) Stormwater & ancillary works in the road reserve; and
- (l) Pumping concrete from a public road;

These separate activity approvals must be obtained and evidence of the approval provided to the Certifying Authority prior to the activities commencing.

The relevant Application Forms for these activities can be downloaded from Council's website www.strathfield.nsw.gov.au. For further information, please contact Council's Customer Service Centre on (02) 9748 9999.

REQUIREMENTS OF CONCURRENCE, INTEGRATED & OTHER GOVERNMENT AUTHORITIES

3. Sydney Water – Tap in TM

The approved plans must be submitted to a Sydney Water Tap inTM to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The approved plans will be appropriately endorsed. For details please refer to 'Plumbing, building and developing' section of Sydney Water's web site at www.sydneywater.com.au then see 'Building', or telephone 13000 TAP IN (1300 082 746). The Certifying Authority must ensure that a Tap inTM agent has appropriately stamped the plans prior to the issue of the Construction Certificate.

4. Notice of Requirements for a Section 73 Certificate

A Notice of Requirements of what will eventually be required when issuing a Section 73 Compliance Certificate under the [Sydney Water Act 1994](http://www.sydwater.nsw.gov.au/legislation/act1994) must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the 'Plumbing, building and developing' section of the web site www.sydneywater.com.au then refer to 'Providers' under 'Developing' or telephone 13 20 92 for assistance.

Following application, a 'Notice of Requirements' will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, as it can take some time to build water/sewer pipes and this may impact on other services and building, driveway or landscape design.

The Notice of requirements must be submitted prior to the commencement of work. A Section 73 Compliance Certificate will be required at the completion of development in accordance with further conditions.

5. Section 73 Compliance Certificate

A Section 73 Compliance Certificate under the [Sydney Water Act 1994](#) must be submitted to the PCA prior to the issue of the Occupation/Subdivision Certificate.

6. Electricity Supply

An application is required to be made to Ausgrid for a network connection. This may require the network to be extended or its capacity augmented. Evidence of this application being lodged with Ausgrid is required to be provided to the Certifying Authority prior to the issue of a Construction Certificate. For further details, you are advised to contact Ausgrid on 13 13 65 or www.ausgrid.com.au (Business and Commercial Services).

7. Electricity Supply to Development

The electricity supply to the development must be underground.

8. Ausgrid

Proximity to Existing Network Assets

Overhead Powerlines

There are existing overhead electricity network and 132 kv transmission tower #23013 in 201 PARRAMATTA ROAD HOMEBUSH WEST.

Safework NSW Document - Work Near Overhead Powerlines: Code of Practice, outlines the minimum safety separation requirements between these mains/poles to structures within the development throughout the construction process. It is a statutory requirement that these distances be maintained throughout construction. Special consideration should be given to the positioning and operating of cranes and the location of any scaffolding.

The "as constructed" minimum clearances to the mains should also be considered. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid's website, www.ausgrid.com.au. Should the existing overhead mains

require relocating due to the minimum safety clearances being compromised in either of the above scenarios, this relocation work is generally at the developers cost.

It is also the responsibility of the developer to ensure that the existing overhead mains have sufficient clearance from all types of vehicles that are expected be entering and leaving the site.

Underground Cables

There are existing transmission underground cables within 201 PARRAMATTA ROAD HOMEBUSH WEST.

Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.

Safework Australia - Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables.

For Activities Within or Near to the Electricity Easement:

Purpose Of Easement

This easement was acquired for the 33,000 volt transmission assets currently owned and operated by Ausgrid. The purpose of the easement is to protect the transmission assets and to provide adequate working space along the route of the cables for construction and maintenance work. The easement also assists Ausgrid in controlling works or other activities over or near the transmission cables which could either by accident or otherwise create an unsafe situation for workers or the public, or reduce the security and reliability of Ausgrid's network.

The Following Conditions Apply for any Activities Within the Electricity Easement:

1. Safework Australia - Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables.
2. Ausgrid requires 24 hour access along the easement for plant and personnel. For the purpose of exercising its rights under the easement, Ausgrid may cut fences and/or walls and install gates in them.

Where the easements on a site do not provide practical access to all of Ausgrid's infrastructure, a suitable right of access at least 5m wide must be provided to each asset.

3. Access driveways shall withstand the weight of a heavy rigid truck when fully laden weighing 30 tonne.
4. Access gates, minimum 4.5 metres wide, may be required in all fences crossing the transmission line easement.
5. Adequate removable protection must be installed to prevent vehicles inadvertently colliding with the transmission tower. This proposed form of protection must be forwarded to Ausgrid for review and consent.
6. Driveways and other vehicle access must be capable of supporting the heaviest vehicle likely to traverse the driveway without damaging Ausgrid's assets.
7. All metal work within the easement site including metallic fencing, are to be locally earthed by a qualified electrician via a 50 sq. mm stranded copper, insulated earthwire bonded to a copper-clad earth-stake driven at least 1.6 metres into the ground.
8. No buildings/structures or parts thereof constructed may encroach the easement.
9. No machine excavation is permitted within the easement without Ausgrid's express permission.
10. No obstruction of any type shall be placed within 10 metres of any part of a transmission line structure except where installed to protect transmission structure from vehicle impacts when Ausgrid has approved such structures.
11. Care must be taken to prevent any damage to underground metalwork which can extend up to 15 metres away from the transmission line structure.
12. During building construction, adequate controls must be put in place to prevent vehicles and machinery from damaging the Ausgrid assets.
13. Bulk solids (e.g sand and gravels) are not to be stored within the easement area.
14. The proposed finished ground levels within the easement must provide a minimum of 750mm cover to the Transmission Cables.
15. Trees, shrubs, or plants which have root systems likely to grow greater than 250mm below ground level are not permitted within the easement or close to the cable infrastructure. The planting of other vegetation is to ensure Ausgrid's access and maintenance requirements are maintained.
16. Trees, shrubs, or plants which have a mature height of greater than 3.0m, or climbable portions greater than 2.5m above ground, are not permitted within the easement. The planting of other vegetation is to ensure Ausgrid's access and maintenance requirements are maintained.

17. Electric power should not be connected to the easement site without permission from Ausgrid.
18. Ausgrid is to be indemnified from all actions, suits, claims and demands of whatsoever nature, which Ausgrid may incur as a result of the encroachment/so
19. Ausgrid reserves the right, by written notice, to require the owner of the property, at the owner's expense, to implement further safety measures, removal or modification of any encroachments not specifically approved by Ausgrid should this be necessary in the future for the safe and continued operation or upgrade of the network asset.

9. VIVA Energy Australia

- a) The existing Pipeline easement is to be maintained as an easement in Gross on the new title being created and shown marked on the associated title plans.
- b) No ground disturbances or construction and installation of structures over the pipeline and associated easement are to be undertaken.
- c) Consultation with and approval from Viva Energy Australia is required prior to any construction, ground disturbance or land use changes in the entirety of the new parcel boundaries.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

10. Erosion & Sedimentation Control

Erosion and sediment controls must be provided to ensure:

- (a) Compliance with the approved Erosion & Sediment Control Plan
- (b) Removal or disturbance of vegetation and top soil is confined to within 3m of the approved building area (no trees to be removed without approval)
- (c) All clean water run-off is diverted around cleared or exposed areas
- (d) Silt fences, stabilised entry/exit points or other devices are installed to prevent sediment from entering drainage systems or waterways
- (e) All erosion and sediment controls are fully maintained for the duration of demolition, excavation and/or development works
- (f) Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadway

- (g) All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or similar
- (h) Compliance with [Managing Urban Stormwater – Soils and Construction \(Blue Book\) produced by Landcom 2004.](#)

These measures are to be implemented prior to the commencement of work (including demolition and excavation) and must remain until works are completed and all exposed surfaces are landscaped/sealed.

11. Stormwater System

The submitted stormwater plan has been assessed as a concept plan only. Final detailed plans of the drainage system in accordance with Council stormwater management code and AS/NZS 3500.3: 2015 (as amended), prepared by a professional engineer specialising in hydraulic engineering, shall be submitted for approval with the Construction Certificate.

12. On Site Detention

The submitted stormwater plan has been assessed as a concept plan only. Final detailed plans of the drainage system, prepared by a professional engineer specialising in hydraulic engineering, shall be submitted for approval with the Construction Certificate.

An on-site detention (OSD) facility designed by a professional engineer who specialises in Hydraulic Engineering must be designed, approved and installed. The design must include the computations of the inlet and outlet hydrographs and stage/storage relationships of the proposed OSD using the following design parameters:

- (a) peak flow rates from the site are to be restricted to a permissible site discharge (PSD) equivalent to the discharge when assuming the site contained a single dwelling, garage, lawn and garden,
- (b) at Annual Recurrence Intervals of 2 years, 10 years and 100 years.

The OSD facility shall be designed to meet all legislated safety requirements and childproof safety fencing around the facility must be provided where the OSD facility is open or above ground when the design peak storage depth is greater than 300mm. A durable metal plate or similar sign is to be placed at the OSD facility and must bear the words:

"BEWARE: This is an on-site detention basin/tank for rainwater which could overflow during heavy storms."

Full details shall accompany the application for the Construction Certificate.

13. Water Sustainability – Water Sensitive Urban Design

Details of the Water Sensitive Urban Design (WSUD) components (stormwater treatment measures) shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. Details shall demonstrate compliance with the water conservation and stormwater quality targets set out under Sections 3.1 and 3.2 respectively under Part N of the SCDGP 2005, and be prepared by a suitably qualified professional engineer.

14. Stormwater Drainage Plan Details

Stormwater drainage plans including pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits prepared by a professional engineering specialising in hydraulic engineering shall be submitted with the Construction Certificate application.

These plans shall be prepared in accordance with the Australian Institute of Engineers Australian Rainfall and Runoff (1987) and Council's Stormwater Management Code.

15. Off Street Parking – Compliance with AS2890

All driveways, access ramps, vehicular crossings and car parking spaces shall be designed and constructed in accordance with the current version of Australian Standards, AS 2890.1 (for car parking facilities), AS 2890.6 (parking for people with disabilities) and AS 2890.2 (for commercial vehicle facilities).

16. Fees to be Paid

The fees listed in the table below must be paid in accordance with the conditions of this consent and Council's adopted Fees and Charges applicable at the time of payment (available at www.strathfield.nsw.gov.au).

Payments must be made prior to the issue of the Construction Certificate or prior to the commencement of work (if there is no associated Construction Certificate).

Please contact council prior to the payment of s7.11 or s7.12 Contributions to determine whether the amounts have been indexed from that indicated below in this consent and the form of payment that will be accepted by Council.

A summary of the fees to be paid are listed below:

Fee Type	Fee
GENERAL FEES	
Long Service Levy (to Long Service Corporation) Or, provide evidence of Payment direct to the Long Service Corporation. See https://longservice.force.com/bci/s/levy-calculator	\$ 1,318.82
Security Damage Deposit	\$ 8,100.00
Administration Fee for Damage Deposit	\$ 130.00
DEVELOPMENT CONTRIBUTIONS	
Strathfield Section 94A Indirect Development Contributions Plan 2017	\$ 3,768.05

General Fees

The fees and charges above are subject to change and are as set out in the version of Council's Schedule of Fees and Charges or as required by other Government Authorities, applicable at the time of payment.

Development Contributions

The Section 7.11 contribution (s94) is imposed to ensure that the development makes adequate provision for the demand it generates for public amenities and public services within the area.

A Section 7.12 contribution has been levied on the subject development pursuant to the Strathfield Section 94A Indirect Development Contributions Plan.

Indexation

The above contributions will be adjusted at the time of payment to reflect changes in the cost of delivering public amenities and public services, in accordance with the indices provided by the relevant Development Contributions Plan.

Timing of Payment

The contribution must be paid and receipted by Council prior to the release of the Construction Certificate.

Further Information

A copy of the *current Development Contributions Plans* may be inspected at Council's Customer Service Centre at 65 Homebush Road, Strathfield or on Council's website www.strathfield.nsw.gov.au.

17. Additional Development Application Fees

In accordance with Regulation 50(1)(c) and the table to Regulation 246 of the Environmental Planning and Assessment Act Council must charge a development application fee based on the estimated cost of works applied for.

The construction costs of the approved development as per the provided cost summary are estimated at \$376,805.00 and the applicable Development Application Fee on this amount would be \$1,457.18. As a Development Application fee of \$1,051.00 was paid when lodging the application, the difference of \$406.18 shall be paid to Council prior to the issue of a Construction Certificate.

18. Damage Deposit – Minor Works

In order to insure against damage to Council property the following is required:

- (a) Pay Council, before the issue of the Construction Certificate, a damage security deposit for the cost of making good any damage caused to any Council property as a result of the development: \$8,100.00.
- (b) Pay Council, before the issue of the Construction Certificate, a non-refundable administration fee to enable assessment of any damage and repairs where required: \$130.00
- (c) Submit to Council, before the commencement of work, a photographic record of the condition of the Council nature strip, footpath and driveway crossing, or any area likely to be affected by the proposal.

At the completion of work Council will inspect the public works, and the damage deposit will be refunded in full upon completion of work where no damage occurs. Otherwise the amount will be either forfeited or partly refunded according to the amount of damage.

19. Site Management Plan

A Site Management Plan must be submitted with the application for a Construction Certificate, and include the following:

- (a) location of protective site fencing;
- (b) location of site storage areas/sheds/equipment;
- (c) location of building materials for construction, e.g. stockpiles
- (d) provisions for public safety;
- (e) dust control measures;
- (f) method used to provide site access location and materials used;
- (g) details of methods of disposal of demolition materials, according to Waste Management Plan and which should be used or recycled wherever practicable;
- (h) method used to provide protective measures for tree preservation;
- (i) provisions for temporary sanitary facilities;
- (j) location and size of waste containers/skip bins, according to the Waste Management Plan and including resource recovery methods;
- (k) details of proposed sediment and erosion control measures;
- (l) method used to provide construction noise and vibration management;
- (m) construction and demolition traffic management details.

The site management measures are to be implemented prior to the commencement of any works including demolition and excavation. The site management measures are to be maintained throughout the works, to maintain reasonable levels of public health, safety and amenity. A copy of the Site Management Plan must be kept on site and is to be made available upon request.

20. Service Utilities – Land Subdivision Only

Arrangements shall be made to the satisfaction of all Service Utility Authorities in respect to the services supplied by those authorities to the development. All services to any future dwellings erected on the site shall be underground.

21. Waste Manage Plan (WMP)

Prior to the issue of a Construction Certificate, a Waste Management Plan (WMP) must be submitted and it must comply with the requirements contained within Part H of Strathfield Development Control Plan 2005 (DCP 2005).

A WMP will become part of any development consent issued and aims to facilitate better waste management, waste minimization and resource recovery.

The WMP is an important planning document that will not only be utilised as part of the development application process, but during construction of the development.

At least one copy of the WMP is to be available on site at all times during construction. Copies of demolition and construction waste dockets that verify the facility that received the material for recycling or disposal and the quantity of waste received, must be retained on site at all times during construction.

22. Landscape Plan

A detailed landscape plan, drawn to scale, by a qualified landscape architect or landscape designer, must be submitted prior to the issue of the Construction Certificate for the parking area of vehicles 41-88. The plan must be in accordance with Part D Industrial Development of the Strathfield Consolidated Development Control Plan 2005 and must include:

- (a) Location of existing and proposed structures, services and existing trees;
- (b) Details of earthworks including mounding and retaining walls and planter boxes;
- (c) Location of proposed plants and a plant schedule showing the plant symbol, botanical name/ common name; quantity; pot size/; and mature height x width.
- (d) Details of planting procedure and maintenance;
- (e) Landscape specification;
- (f) Details of drainage and watering systems;
- (g) Details of garden edging and turf; and
- (h) Any required fencing, retaining walls and other structures not shown on other approved architectural and engineering plans.

23. Location of Street Addresses

Allocation of street address is to comply with AS/NZS 4819:2011 Rural and Urban Addressing & the NSW Addressing User Manual (Geographical Names Board of NSW).

Details indicating compliance with this condition must be shown on the plans lodged with any Construction Certificate for approval.

PRIOR TO THE COMMENCEMENT OF WORK (INCLUDING DEMOLITION & EXCAVATION)

24. Dial Before You Dig

The applicant shall contact “Dial Before You Dig on 1100” to obtain a Service Diagram prior to the issuing of the Construction Certificate. The sequence number obtained from “Dial Before You Dig” shall be forwarded to Council’s Engineers for their records.

DURING CONSTRUCTION

25. Hours of Construction for Demolition and Building Work

Any work activity or activity associated with the development consent that requires the use of any tools (including hand tools) or any power operated plant and machinery that creates noise on or adjacent to the site shall not be performed, or permitted to be performed, except between the hours of 7.00 am to 5.00 pm, Monday to Friday and 8:00am to 1:00pm on Saturdays. No work or ancillary activity is permitted on Sundays, or Public Holidays.

Where the development involves the use of jack hammers/rock breakers and the like, or other heavy machinery, such equipment may only be used between the hours of 7:00am to 5:00pm Monday to Friday only.

Note: A penalty infringement notice may be issued for any offence.

PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

26. Restriction to User and Positive Covenant for On-Site Detention Facility

Prior to the issue of any Occupation Certificate, the applicant shall register a Positive Covenant and a Restriction as to User under section 88E and or section 88B of the Conveyancing Act as appropriate in favour of Council, ensuring the ongoing retention, maintenance and operation of the stormwater facility (on-site detention, pump-out, charged lines, water sensitive urban design, surface flow path, finished pavement and ground levels etc.).

Where any drainage line or service conduit is to traverse any property other than that which it serves, an appropriate easement will be required. In this case, the applicant shall register an easement no less than 1200mm wide over the proposed drainage line or service concurrently with any subdivision registration.

The wording on the 88E and or 88B Instrument is to make reference to the Council file where the Construction plans and the Work As Executed (as built), plans are held. Typical wording can be obtained from Council's Specification for the Management of Stormwater document.

27. Maintenance Schedule – On-site Stormwater Management

A Maintenance Schedule for the proposed on-site stormwater management measures is to be prepared and submitted to Council. The Maintenance Schedule shall outline the required maintenance works, how and when these will be done and who will be carrying out these maintenance works.

28. Stormwater Certification of the Constructed Drainage Works (Minor)

The constructed stormwater system shall be certified by a suitably qualified person, in accordance with Council's Stormwater Management Code, prior to the issue of any Occupation Certificate.

29. Stormwater Drainage Works – Works As Executed

Prior to the issue of the Occupation Certificate, stormwater drainage works are to be certified by a professional engineer specialising in hydraulic engineering, with Works-As-Executed drawings supplied to Council detailing:

- (a) Compliance with conditions of development consent relating to stormwater;
- (b) The structural adequacy of the On-Site Detention system (OSD);
- (c) That the works have been constructed in accordance with the approved design and will provide the detention storage volume and attenuation in accordance with the submitted calculations;
- (d) Pipe invert levels and surface levels to Australian Height Datum;
- (e) Contours indicating the direction in which water will flow over land should the capacity of the pit be exceeded in a storm event exceeding design limits.

Council's Engineering Services section must advise in writing that they are satisfied with the Works-As-Executed prior to the issue of an Occupation Certificate.

30. Major Development

Internal driveways and parking spaces are to be adequately paved with concrete or bitumen, or interlocking pavers to provide a dust-free surface. All car parking spaces are to be line marked in accordance with AS1742, 'Australian Standard Manual of Uniform Traffic Control Devices' and the relevant guidelines published by the RMS.

31. Requirements Prior to the Issue of the Occupation Certificate

The following shall be completed and or submitted to the PCA prior to the issue of the Occupation Certificate:

- (a) The internal driveway construction works, together with the provision for all services (conduits and pipes laid) shall be completed in accordance with the approved Construction Certificate plans prior to the issue of the Occupation Certificate.
- (b) A Section 73 (Sydney Water) Compliance Certificate for the Subdivision shall be issued and submitted to the PCA prior to the issue of the Occupation Certificate.
- (c) Work as Executed Plans prepared by a Chartered Professional Engineer or a Registered Surveyor when all the site engineering works are complete shall be submitted to the PCA prior to the issue of the Occupation Certificate.

32. Notice to Council – Allocation of Street Addresses

Prior to the issue of any Occupation Certificate, 'as-built' drawings detailing the installed and allocated street/unit address and numbering must be submitted to the satisfaction of Council.

33. Electricity Supply

Evidence shall be provided demonstrating that the development has been connected to the Ausgrid, if required.

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

34. Site works to be completed prior to issue of Subdivision Certificate

The following works shall be completed prior to the issue of the Subdivision Certificate:

- (a) All the stormwater/drainage works shall be completed in accordance with the approved Construction Certificate plans.
- (b) The internal driveway construction works, together with the provision for all services (conduits and pipes laid) shall be completed in accordance with the approved Construction Certificate plans.
- (c) A Final Occupation Certificate shall be obtained from the PCA upon completion of the construction works required by the approved Construction Certificate.
- (d) Sydney Water's Section 73 Compliance Certificate.

35. Stratum – Completion of Site Works Prior to Issue of the Subdivision Certificate

The structures shall be completed to the stage that all the boundaries and easement limitations of the proposed Stratum Lots can be physically defined on the Final Subdivision Plan. This stage of the structures shall be constructed in accordance with the approved plans and conditions of Development Consent No. 2021/237 dated 4/03/2022 and any subsequent approved revisions under Section 4.55 of the [Environmental Planning & Assessment Act 1979](#).

36. Stratum – Final Subdivision Plan Requirements

A final Subdivision Plan shall be prepared by a Registered Surveyor and shall create the following easements:

- (a) Easements for Support and shelter over each lot to benefit other lots.
- (b) Easements to Drain Water over each lot to benefit other lots.
- (c) Easements for Services over each lot to benefit other lots.
- (d) Various Rights of Access over each lot to benefit other lots.
- (e) Rights to Use Fire Stairs over each lot to benefit other lots. These Rights shall be created over all Fire Exits and Stairways if necessary.
- (f) Easements for Overhang.
- (g) Easements for Signage.
- (h) Rights to Use Loading Area.
- (i) Easements for Stormwater Detention Facilities.
- (j) Easement for Electricity Purposes
- (k) Any other required Easements

If any of the abovementioned easements cannot be created suitable provisions shall be provided in the Building Management Statement for the Scheme.

37. Terms of Easement for Access

- A. Subject to the conditions in this easement, the Proprietor of the lot burdened grants the Authority Benefited and its Authorised Users the right to enter, pass and repass through and across the Easement Site to access the Lot Burdened for the following purposes:
 - (a) to carry out an inspections of the Authorities Stormwater infrastructure within the Lot Burdened; and
 - (b) in order to install, connect, replace, inspect, clean, repair, maintain or renewing any of the Authorities Stormwater infrastructure within the Lot Burdened; and

- (c) to enter, pass and repass through and across the Easement Site' with or without vehicles and equipment for such reasonable time as may be necessary for the purpose of installing, connecting, replacing, inspecting, cleaning, repairing, maintaining or renewing the Authorities Stormwater infrastructure within the Lot Burdened.
- B. In exercising those powers, Authority Benefited and its Authorised Users must:
- (a) cause as little inconvenience as practicable to the owners or an occupier of the Lot Burdened;
 - (b) cause as little damage as is practicable to the Lot Burdened and any improvements on it;
 - (c) make good any collateral damage as is practicable to its former condition;
 - (d) except in an emergency, give the owners or an occupier of the lot burdened or its nominee at least 48 hours notice of their intention to enter the Lot Burdened;
 - (e) comply with all reasonable requirements and directions of the owners or an occupier of the Lot Burdened.
- C. In exercising those powers, the Authority Benefited and its Authorised Users must not:
- (a) park or stand motor or other vehicles and equipment on the Easement Site unless agreed to by the owner or an occupier of the Lot Burdened,
 - (b) obstruct use of the Easement Site by any person and equipment unless agreed to by the owners or an occupier of the Lot Burdened.

OPERATIONAL CONDITIONS (ON-GOING)

38. Loading & Unloading of Vehicles

All loading and unloading of vehicles in relation to the use of the premises shall take place wholly within a dedicated loading dock/area.

39. (Entering & Exiting of Vehicles

All vehicles shall enter and exit the premises in a forward direction.

40. Maximum Vehicle Size

Small Rigid Vehicle

The maximum size of truck using the proposed development driveway off Welfare Street shall be limited to Small Rigid Vehicle as denoted in AS2890.2-2002: Parking Facilities – Off-street commercial vehicle facilities.

OPERATIONAL REQUIREMENTS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

41. Requirement for a Construction Certificate

The erection of a building must not commence until a Construction Certificate has been issued.

42. Appointment of a PCA

The erection of a building must not commence until the applicant has:

- (a) appointed a PCA for the building work; and
- (b) if relevant, advised the PCA that the work will be undertaken as an Owner -Builder.

If the work is not going to be undertaken by an Owner - Builder, the applicant must:

- (c) appoint a Principal Contractor to undertake the building work. If residential building work (within the meaning of the [Home Building Act 1989](#)) is to be undertaken, the Principal Contractor must be a holder of a contractor licence; and
- (d) notify the PCA of the details of any such appointment; and
- (e) notify the Principal Contractor of any critical stage inspections or other inspections that are required to be carried out in respect of the building work.

43. Notification of Critical Stage Inspections

No later than two days before the building work commences, the PCA must notify:

- (a) the consent authority and the Council (if not the consent authority) of his or her appointment; and
- (b) the applicant of the critical stage inspections and other inspections that are to be carried out with respect to the building work.

44. Notice of Commencement

The applicant must give at least two days notice to the Council and the PCA of their intention to commence the erection of a building.

45. Subdivision Work – Construction Certificate & Appointment of PCA.

Subdivision work in accordance with a development consent cannot commence until:

- (a) A Construction Certificate has been issued; and
- (b) The applicant has appointed a PCA for the subdivision work.

No later than two days before the subdivision work commences, the PCA must notify:

- (c) The consent authority and the Council (if not the consent authority) of his or her appointment; and
- (d) The applicant of the critical stage inspections and other inspections that are to be carried out with respect to the subdivision work.

46. Subdivision Work – Notice of Commencement

The beneficiary of the development consent must give at least two days notice to the Council and the PCA of their intention to commence the subdivision works.

47. Critical Stage Inspections

The last critical stage inspection must be undertaken by the PCA. The critical stage inspections required to be carried out vary according to Building Class under the Building Code of Australia and are listed in Clause 162A of the [Environmental Planning and Assessment Regulation 2000](#).

48. Notice to be Given Prior to Critical Stage Inspections

The principal contractor for a building site, or the owner-builder, must notify the PCA at least 48 hours before each required inspection needs to be carried out.

PRESCRIBED CONDITIONS

49. Clause 98A – Erection of Signs

Requires the erection of signs on site and outlines the details which are to be included on the sign. The sign must be displayed in a prominent position on site and include the name and contact details of the PCA and the Principal Contractor.

ADVISORY NOTES

I. Review of Determination

Section 8.2 of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of the application the right to lodge an application with Council for a review of such determination. Any such review must however be completed within 6 months from its determination. Should a review be contemplated sufficient time should be allowed for Council to undertake public notification and other processes involved in the review of the determination.

Note: review provisions do not apply to Complying Development, Designated Development, State Significant Development, Integrated Development or any application determined by the Sydney East Planning Panel or the Land & Environment Court.

II. Appeal Rights

Division 8.3 (Reviews and appeals) Part 8 of the Environmental Planning and Assessment Act 1979 confers on an applicant who is dissatisfied with the determination of the application a right of appeal to the Land and Environment Court of New South Wales.

III. Lapsing of Consent

This consent will lapse unless the development is physically commenced within 5 years from the Date of Operation of this consent, in accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979 as amended.

IV. Access to NSW Legislations (Acts, Regulations and Planning Instruments)

NSW legislation can be accessed free of charge at www.legislation.nsw.gov.au

V. Long Service Levy

The Long Service Corporation administers a scheme which provides a portable long service benefit for eligible workers in the building and construction industry in NSW. All benefits and requirements are determined by the Building and Construction Industry Long Service Payments Act 1986. More information about the scheme and the levy amount you are required to pay to satisfy a

condition of your consent can be found at <http://www.longservice.nsw.gov.au>.

The required Long Service Levy payment can be direct to the Long Service Corporation via their web site <https://online.longservice.nsw.gov.au/bci/levy>. Payments can only be processed on-line for the full levy owing and where the value of work is between \$25,000 and \$6,000,000. Payments will be accepted for amounts up to \$21,000, using either MasterCard or Visa.

VI. Disability Discrimination Act

This application has been assessed in accordance with the [Environmental Planning and Assessment Act 1979](#). No guarantee is given that the proposal complies with the [Disability Discrimination Act 1992](#). The applicant is responsible to ensure compliance with this and other anti-discrimination legislation. The [Disability Discrimination Act 1992](#) covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which refers to AS1428.1-Design for Access and Mobility.

VII. Site Safety Fencing

Site fencing must be erected in accordance with SafeWork Guidelines, to exclude public access to the site throughout the demolition and/or construction work, except in the case of alterations to an occupied dwelling. The fencing must be erected before the commencement of any work and maintained throughout any demolition and construction work.

A demolition licence and/or a high risk work license may be required from SafeWork NSW (see www.SafeWork.nsw.gov.au).

VIII. Torrens Title Subdivisions

- (a) The Section 73 Certificate required must be a separate certificate for this development consent. Any other Section 73 Certificates (e.g. for the construction of the building) cannot be accepted to approve the Subdivision Certificate.
- (b) A Subdivision Certificate cannot be issued unless all relevant conditions of the development consent that are to be satisfied prior to the issue of the Subdivision Certificate have been complied with.
- (c) Council will check the consent conditions on the relevant subdivision consent. Failure to submit the required information will delay endorsement of the plan of subdivision.
- (d) Plans of subdivision, Administration Sheets, 88B Instruments and copies must not be folded.
- (e) All Subdivision Plans, Deposited Plan Administration Sheets and Section 88B Instruments shall be submitted to Council enclosed in a protective cardboard tube (to prevent damage during transfer).

- (f) A Subdivision Certificate cannot be issued unless all relevant conditions of the development consent that are to be satisfied prior to the issue of the Subdivision Certificate have been complied with.

IX. Stratum Subdivisions

- (a) A Subdivision Certificate cannot be issued unless all relevant conditions of the development consent that are to be satisfied prior to the issue of the Subdivision Certificate have been complied with.
- (b) Council will check the consent conditions on the relevant subdivision consent. Failure to submit the required information will delay endorsement of the plan of subdivision.
- (c) Plans of subdivision, Administration Sheets, Section 88B Instruments and copies must not be folded.
- (d) All Subdivision Plans, Deposited Plan Administration Sheets and Section 88B Instruments shall be submitted to Council enclosed in a protective cardboard tube (to prevent damage during transfer).
- (e) Certification from the Registered Surveyor that all services (including but not limited to stormwater drainage, gas, electricity, telephone cable) as constructed or to be constructed are/will be contained within each lot or within the necessary easements to accommodate such services.

X. SYDNEY WATER SECTION 73 CERTIFICATES

The Section 73 Certificate must be a separate certificate that relates specifically to this development consent. For example, if the development consent relates to the subdivision of the land, a Section 73 Certificate for the construction of the building that is subject to a different development consent will not suffice.

XI. Electricity Supply

This development may need a connection to the Ausgrid network which may require the network to be extended or its capacity augmented. You are advised to contact Ausgrid on 13 13 65 or www.ausgrid.com.au (Business and Commercial Services) for further details and information on lodging your application to connect to the network.

XII. Australia Post – Letter Box Size and Location

The size and location of letterboxes servicing the development are to comply with the requirements and standard of Australia Post (see attached link: https://auspost.com.au/content/dam/auspost_corp/media/documents/Appendix-02.pdf)